



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maureen F. Gorsen, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

November 17, 2006

To Whom It May Concern:

NOTICE OF FINAL HAZARDOUS WASTE FACILITY PERMIT DECISION

In accordance with the requirements of California Code of Regulations (CCR), title 22, section 66271.14, the Department of Toxic Substances Control (DTSC) is issuing this Notice of Final Hazardous Waste Facility Permit Decision (Notice) for the following facility:

Lawrence Berkeley National Laboratory (LBNL)
Hazardous Waste Handling Facility
1 Cyclotron Road, Building 90
Berkeley, California 94720
Alameda County

LBNL operates the Hazardous Waste Handling Facility that stores and treats hazardous and mixed wastes.

On September 21, 2004, DTSC published a public notice in the Berkeley Daily Planet. DTSC held a 60-day public comment period from September 21, 2004 to November 19, 2004 for the Draft Permit. DTSC held a public meeting and a public hearing to receive comments on the draft permit on October 20, 2004.

Public comments were received by electronic mail and postal mail. DTSC has prepared a Response to the Comments document and made minor changes to the Draft Permit. The Response to Comments (RTC) document, the DTSC memorandum to file listing the revisions made to the Draft Permit in response to public comments, and a marked up version of the Final Permit showing all changes from the draft to final permit, are available for formal public review at the repositories listed at the end of this Notice.

The Final Hazardous Waste Facility Permit becomes effective on December 22, 2006 unless a review is requested pursuant to the California Code of Regulations (CCR), title 22, section 66271.18. Any person who filed comments on the draft permit or participated in the public hearing may petition the Department to review any conditions of the permit decision. Any person who failed to file comments or failed to participate in

November 17, 2006

the public hearing on the draft permit may petition for administrative review only to the extent of the changes from the draft to the final permit decision. The petition shall include a statement of the reasons supporting that review, including a demonstration that any issues being raised were raised during the public comment period (including any public hearing) to the extent required by these regulations and when appropriate, a showing that the condition in question is based on:

1. A finding of fact or conclusion of law which is clearly erroneous, or
2. An exercise of discretion or an important policy consideration which the Department should, in its discretion, review.

A petition must be postmarked no later than December 22, 2006, and must be submitted to:

Watson Gin, Deputy Director
Hazardous Waste Management Program
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

In its role as a Responsible Agency under the provisions of the California Environmental Quality Act (CEQA), DTSC has determined that the environmental documents prepared by the University of California, LBNL adequately addressed potential impacts associated with the renewal of the Hazardous Waste Facility Permit. DTSC will file a CEQA Notice of Determination (NOD) with the State of California / Office of Planning and Research upon the effective date of the renewed permit unless an appeal is filed with DTSC prior to the effective date. This NOD will adopt the findings of the Lead Agency (University of California, LBNL).

A copy of the petition should also be sent to:

Mohinder S. Sandhu, P.E., Chief
Standardized Permitting and Corrective Action Branch
700 Heinz Avenue
Berkeley, California 94710

November 17, 2006

A copy of the complete administrative record for this permit decision is available for review at:

Department of Toxic Substances Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710
Contact: Ms. Lule Varela at (510) 540-3800 for an appointment

Copies of the Final Permit, Response to Comments, DTSC memorandum to file listing the revisions made to the Draft Permit, a marked up version of the Final Permit showing draft to final changes, and CEQA Notice of Determination are also available for review at:

Berkeley Public Library
2090 Kittredge Street
Berkeley, CA 94702
(510) 981-6100 Call for hours

These documents are also available at DTSC's website:

<http://www.dtsc.ca.gov/HazardousWaste/Projects/LBNL.cfm>

DTSC would like to thank everyone who participated in this permitting process. Please bring this notice to the attention of all persons whom you know would be interested in this matter. If you have any questions, please contact Mr. Waqar Ahmad of my staff at (510) 540-3932 or wahmad@dtsc.ca.gov

Mohinder S. Sandhu, P.E., Chief
Standardized Permitting and Corrective Action Branch
Hazardous Waste Management Program

Date: